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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91189722
Party	Defendant Fry's Electronics, Inc.
Correspondence Address	Katina C. Banks Dorsey & Whitney LLP 370 Seventeenth Street, Suite 4700 Denver, CO 80202-5647 UNITED STATES banks.katina@dorsey.com, tamkin.gregory@dorsey.com, quackenbush.emily@dorsey.com
Submission	Other Motions/Papers
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Date	09/16/2009
Attachments	Amended Certificate of Service.PDF (3 pages)(104736 bytes)

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September 16, 2009

VIA ESTTA

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Re: U.S. Trademark Opposition – Amended Certificate of Service
Jimlar Corporation d/b/a The Frye Company v. Fry's Electronics, Inc.
Opposition No.: 91189722
Our Ref. No.: M12911US ~ 463047-136

Dear Sir/Madam:

We represent the Applicant, Fry's Electronics, Inc., in *Jimlar Corporation d/b/a The Frye Company v. Fry's Electronics, Inc.*, Opposition No. 91189722. On September 9, 2009, we electronically filed an Applicant's Abandonment of Trademark Application ("document") with the United States Patent and Trademark Office's Trademark Trial and Appeal Board ("TTAB"). The certificate of service filed with the document stated that Opposer was served upon by first class mail on September 9, 2009.

It has come to our attention that this document was not served upon the Opposer by first class mail on September 9, 2009. We apologize for this oversight. Attached herewith for filing is an Amended Certificate of Service that accurately reflects service of the document filed with the TTAB on September 9, 2009. As explained in the Amended Certificate of Service, Robert L. Epstein, Jason M. Drangel, and William C. Wright, counsel for Opposer, are being served by first class mail today.

Please contact me if the TTAB has any questions regarding this filing.

Sincerely,

DORSEY & WHITNEY LLP



Katina C. Banks

KCB:NLR

Enclosure

cc: Edward N. Bachand
Gregory S. Tamkin
IP Docketing - DV

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USA CANADA EUROPE ASIA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of U.S. Trademark Application Serial No. 78/962182

Mark: **FRYS.COM OPEN & Design**

Filed: August 28, 2006

Published in the Official Gazette November 25, 2008

JIMLAR CORPORATION
d/b/a THE FRYE COMPANY,
Opposer,

v.

FRY'S ELECTRONICS, INC.,
Applicant.

Opposition No. 91189722

AMENDED CERTIFICATE OF SERVICE FOR
APPLICANT'S ABANDONMENT OF TRADEMARK APPLICATION
FILED ON SEPTEMBER 9, 2009

Applicant, through its attorneys hereby submits this Amended Certificate of Service to replace the Certificate of Service in the Applicant's Abandonment of Trademark Application filed on September 9, 2009, which contained an incorrect service date of September 9 2009.

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: September 16, 2009

By: 

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ATTORNEYS FOR APPLICANT,
FRY'S ELECTRONICS, INC.


CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2009, the foregoing Amended Certificate of Service as well as a copy of the Abandonment of Trademark Application filed on September 9, 2009, was served upon the Opposer by mailing a true copy thereof by first class mail, postage prepaid, addressed as follows:

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